

**STATE OF MICHIGAN
IN THE SUPREME COURT**

HON. KWAME M. KILPATRICK,

Plaintiff-Appellant,

v.

Supreme Court No. 137195
Court of Appeals No. 287462
Lower Court No. 08-122051-CZ

HON. JENNIFER M. GRANHOLM,
in her official capacity as Governor of the State of Michigan,
and DETROIT CITY COUNCIL,

Defendant-Appellees.

**MOTION FOR IMMEDIATE CONSIDERATION OF
PENDING APPLICATION FOR LEAVE TO APPEAL**

**JAMES C. THOMAS (P23801)
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NOW COMES the Plaintiff-Appellant, KWAME KILPATRICK, by and through his attorney James C. Thomas, and respectfully requests this Honorable Court to grant immediate consideration of his Application for Leave to Appeal, and in support states as follows:

1. The instant appeal concerns the Governor's ability to remove Plaintiff-Appellant from his elected position as Mayor of the City of Detroit.
2. By a schedule set by the Honorable Governor Jennifer Granholm, the hearing to determine whether to remove Plaintiff-Appellant from his elected position is scheduled to commence on September 3, 2008.
3. As the instant appeal concerns the constitutionality of the process and standards which are contained in the Removal Statute, MCL §168.327, immediate consideration is required.

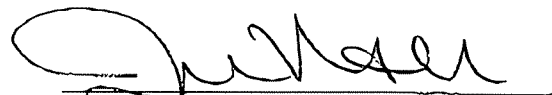
4. Unless this Honorable Court immediately considers Plaintiff-Appellant's Application for Leave, the instant appeal will become moot by operation of the Governor entering a decision prior to the exhaustion of Plaintiff's appellate remedies.
5. Plaintiff-Appellant's counsel has served the instant Motion upon counsel for the Governor electronically by e-mail, facsimile, and regular mail. Counsel will also be hand delivering a copy of this Motion and accompanying Application by hand as soon as practicable on today's date.

RELIEF REQUESTED

WHEREFORE, Plaintiff-Appellant respectfully requests this Court give immediate Consideration to the attached Application for Leave to Appeal.

Respectfully submitted,

JAMES C. THOMAS
Of Counsel, Plunkett Cooney
Attorney for Plaintiff-Appellant
Mayor Kwame Kilpatrick



James C. Thomas (P23801)
Joseph A. Niskar (P55538)
Michael Naughton (P70856)

Dated: September 3, 2008